

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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THOMAS RAE,

Plaintiff,

-against-

COUNTY OF SUFFOLK, et al.,

Defendants.

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ORDER

CV 07-2738 (JS)(ARL)

LINDSAY, Magistrate Judge:

Before the court is the defendant Tracey Ann Barry-Rae's letter application dated July 23, 2008, requesting a ruling concerning the upcoming psychological examination of the plaintiff.¹ Specifically, the defendant contends that there is an issue concerning the length of the examination. The plaintiff has responded to the application indicating that there is no issue concerning the length of the examination, which is expected to take 4-5 hours. Rather, the plaintiff objects to the fact that the examination will be conducted by a psychologist and is expected to include psychological testing. The plaintiff believes that a meeting with a social worker would be preferable. The court disagrees. The plaintiff has put his mental state in issue and the defendants are entitled to have a complete psychological examination conducted by a psychiatrist or psychologist.

Dated: Central Islip, New York
July 28, 2008

SO ORDERED:

/s/
ARLENE R. LINDSAY
United States Magistrate Judge

¹The County defendants have joined in the defendant's application.